ಕರ್ನಾಟಕ ವಿಧಾನಸಭೆ

KARNATAKA LEGISLATIVE ASSEMBLY

Tuesday, 18th March 1975/Phalguna 27, 1896 S.E.

The House met in the Assembly Chamber, Vidhana Soudha, at Nine of the Clock.

MADAM SPEAKER (SMT. K. S. NAGARATHNAMMA) in the Chair.

RULING BY THE SPEAKER

***re* : A Point of order raised as to whether the proceeding of 14-3-75 were in order and Demands put to vote on that Day.**

ಅಧ್ಯಕ್ಷರು.—ನಾನು ಒಂದು ರೂಲಿಂಗ್ ಕೊಡುತ್ತೇನೆಂದು ಹೇಳಿದ್ದೆ, ಅದರಂತೆ ಈಗ ರೂಲಿಂಗ್ ಕೊಡುತ್ತೇನೆ.

On 15th March, 1975, Hon'ble Leader of the Opposition Sri H. D. Deve Gowda raised a pont as to whether the proceedings of the House on 14th March 1975 were in order, when several members of the Opposition were standing and when I put the demands for grants listed for that day to the vote of the House. Sri M. S. Krishnan, supporting the argument of Sri H. D. Deve Gowda made some other points. I promised that, I would consider the matter and give my ruling.

I have accordingly given a good deal of thought to the problem. Hon'ble Members will kindly see that the issue raised by the members of the opposition in the House on the 15th March has rocked the House for five days. To recall the events of the House, the Chief Minister made a statement on the 13th March 1975 as promised by the Minister for Public Works to the House on the 8th March in regard to demand of the opposition to suspend an officer. The whole of that day was spent in seeking numerous clarifications although there was no motion before the House. While the members of the opposition were urging the Government to place on the Table the whole file concerning the affairs of the Nirmala Engineering Company, the Government were not agreeable to the demand beyond the papers already laid on the Table. The Chief Minister however assured the members that he would supply whatever information was possible to be supplied if the matter came up for a regular discussion. I stated in most unmistakable terms that the Presiding Officer cannot compel the Government to lay on the table documents on the floor of the House which the Government

withhold on grounds of public interest. In support of my stand, I quoted rule 304 of the Rules of Procedure and also some authorities from the book "Practice and Procedure in Parliament" from Kaul and Shekdar. On the next day, that is on the 14th March, the members sought to raise the same plea, although there was no notice given by members, about three hours of the time of the House was spent on this matter. The House at one stage was adjourned for some time to facilitate consultation between the Government and the opposition. After the House re-assembled I appealed to the members to resume their seats. The members did not relent. The only course open to me then was to put the Supplementary demands for grants to the vote of the House and I accordingly did it and adjourned the House to meet at 2-00 P.M. When the House re-assembled at 2-00 P.M., the Minister for Rural Development moved the demands for grants relating to Rural Development and Social Welfare. When I requested the members of the opposition to speak on the demands, no member of the opposition was prepared to speak. They once again got up to raise their earlier demand. At this stage again, I had to do the painful duty of putting the demands to vote when my repeated appeals were in vain and adjourn the House. On the 15th March 1975, Sri H. D. Deve Gowda raised his point as to whether the proceedings of the previous day were in order. As hon. members will kindly agree that, if one or two members get up and plead that, the House is not in order, it will be difficult to carry on with the business of the House, on this ground, as such demands may be repeated for one reason or the other. I cannot rule that the House is not in order on this ground. It is not as if such cases have occurred for the first time. Last year when a Bill was about to be put to the vote of the House, Several members started shouting and they surrounded the Deputy Speaker who was then in the chair. Inspite of that the Bill was put to vote. Afterall, I am in the hands of the House and bound by the rules of procedure and certain precedents. In this connection, I quote the following ruling given by my predecessor on an earlier occasion.

"Sitting of one member of the floor of the House cannot make the proceedings of the House come to a stand-still. Therefore, in spite of the hon'ble member sitting I think the proceedings can go on. No single member or a coupls of members can render the House incapable of carrying on its business. I therefore, say that the sitting of one member in dharna does not render the House ineffective."

I may also bring to the notice of the House that, recently Dharna was observaed by the members of the opposition in the Kerala Legislative Assemely. I have secured informaiion from Kerala Legislature Secretariat that, when the opposition members observed hunger Satyagraha in the House the House transacted business

according to the order paper for the day. I am, therefore of the opinion that, it will not be possible to hold that the House was not in order when such situations arise.

Sri M. S. Krishnan raised two other points. His first plea was that the Minister for Rural Development did not move the demands for grants relating to Rural Development and Social Welfare. This is not correct factually. When I called the Minister to move the demands he did so. The second point raised by Sri M. S. Krishnan was that according to the agenda for that day I should have taken up the discussion for short duration relating to the scarcity conditions in some districts before going to the discussion of demands relating to the Rural Development and Social Welfare. In this connection I may state that, it had been agreed that, the short duration discussions and the supplementary demends should be taken up at the morning session and that, the demands relating to Rural Development and Social Welfare would be taken up in the afternoon session on the 14th March. I regulated the proceedings according to this agreement. In addition to this I wish to draw the attention of the members to rule 27 of the rules of procedure according to which the order of business can be varied if the Speaker is satisfied that there is sufficient ground for such variation. By virtue of this provision in the rules. I proceeded to the item relating to the demands for grants leaving out the short duration discussion in the light of the earlier agreement.

ಶ್ರೀ ಎಸ್. ಬಂಗಾರಪ್ಪ.—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ನಾನು ಮತ್ತು ಮಾನ್ಯ ಸದಸ್ಯರಾದ ಶ್ರೀ ಕೋಣಂದೂರು ಲಿಂಗಪ್ಪನವರು ನಿನ್ನೆ ದಿವಸ ಒಂದು ನಿಲುವಳಿ ಸೂಚನೆಯನ್ನು ತಮ್ಮ ಒಪ್ಪಿಗೆಗಾಗಿ ಕಳುಹಿಸಿಕೊಟ್ಟಿದ್ದೇವೆ.

ಅಧ್ಯಕ್ಷರು.—ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಇದರ ಬಗ್ಗೆ ಸ್ಟೇಟ್‌ಮೆಂಟ್ ಮಾಡುವುದು ಇದ್ದರೆ ಮಾಡಬಹುದು.

Statement by the Minister for Food and Civil Supplies

re : **Mis-management in the TAPCM Society of Shimoga**

†**Smt. E. E. VAZ** (Minister for Food and Civil Supplies)—Yesterday two hon. members Sriyuths Kagodu Thimmappa and S. Bangarappa raised an important issue about the alleged misappropriation of levy paddy stocks at Holalur Rice Mill of TAPCMS, Shimoga. I have received a report from the Deputy Commissioner, Shimoga and I am making the following statement.

The Deputy Commissioner says as follows :—

"On the night of 6th March 1975, a few persons met me and informed that a few bags of procured paddy kept in the TAPCMS Rice mill at Holalur, Shimoga Taluk has been replaced by bags containing paddy husk. Immediately I requested the Deputy Registrar of Co-operative Societies and